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R.G.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/197,767

Applicant(s)

Ohtani et al.

Examiner

Phat X. Cao

Group Art Unit

2814



☒ Responsive to communication(s) filed on Mar 17, 2000

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-27 and 40-45 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-27 and 40-45 is/are rejected.

Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. The cancellation of claims 28-39 in Paper No. 5 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fukunaga et al (US. 5,706,064).

Fukunaga et al disclose in Fig. 17 a semiconductor device comprising: two conductive layers 405 and 412 provided as separate layers; an insulating layer 413 sandwiched by the two conductive layers; an embedded conductive layer 411b provided to fill an opening formed in the insulating layer 413, wherein the two conductive layers 405 and 412 are electrically connected to each other with the embedded conductive layer 411b, wherein the embedded conductive layer 411b comprises an organic resin film containing a conductive material dispersed therein or an inorganic film containing a conductive material dispersed therein (column 41, lines 22-32), and wherein one of the two conductive layers 405 and 412 is provided on a flat surface formed by the

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embedded conductive layer. Fukunaga et al further disclose in Fig. 17 that a shape of the opening is in accordance with a shape of the embedded conductive layer 411b embedded in the opening. embedded conductive layer 411b is made of inorganic oxide conductive layer of ITO or ZnO (column 5, lines 66-67 through column 6, lines 1-3) or made of organic conductive layer of carbon (column 20, lines 36-37) or polymer (column 26, lines 54-61), and one of the two conductive layers is in contact with an alignment film 517 (reference number 517 not shown in Fig. 17, see Fig. 27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22-27 and 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga et al (US. 5,706,064).

Fukunaga et al do not specifically disclose that the display device shown in Fig. 17 is applied to a displace device of a cellular phone, a camcorder, etc.

However, Fukunaga et al teach in column 1, lines 5-30 that because the liquid crystal display device has high image quality and can be used as switching elements, this kind of display device has been widely used as a display device in a personal computer, television or the like.


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Accordingly, it would have been obvious to one ordinary skill in the art to apply the display device of Fukunaga et al to a display device of a cellular phone, a camcorder, etc., because it is an intended used.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phat X. Cao whose telephone number is (703) 308-4917. The Examiner can normally be reached on Monday through Thursday. If attempts to reach the Examiner by telephone are unsuccessfully, the Examiner's supervisor, Olik Chaudhuri, can be reached on (703) 306-2794.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. Group 2800 fax number is (703) 308-7722 or (703) 308-7724.

PHAT X. CAO
PC
June 2, 2000


Olik Chaudhuri
Supervisory Patent Examiner
Technology Center 2800